

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SKYLER DEAN FAWVER,

Plaintiff,

NYE COUNTY SHERIFF'S OFFICE, et al.,

Defendants.

Case No.: 2:22-cv-00914-CDS-NJK

ORDER

[Docket No. 3]

On June 6, 2022, Plaintiff, a detainee at Nye County Detention Center, submitted a civil rights complaint and filed an application to proceed *in forma pauperis*. Docket Nos. 1, 1-1. On June 8, the Court denied Plaintiff's application to proceed *in forma pauperis* as incomplete and ordered Plaintiff to either pay the full filing fee or file a new application to proceed *in forma pauperis*, no later than August 8, 2022. Docket No. 2. Now before the Court is Plaintiff's renewed application to proceed *in forma pauperis*. Docket No. 3. Subject to the conditions outlined below, the Court **GRANTS** the renewed application to proceed *in forma pauperis*.

In cases brought by prisoners, courts generally require the initial payment of a partial filing fee. *See* 28 U.S.C. § 1915(b)(1). Prisoners applying to proceed *in forma pauperis* must pay an initial partial filing fee of the greater of twenty percent of the average monthly deposits or the average monthly balance of his account for the six months immediately preceding the commencement of this action. *See* 28 U.S.C. § 1915(b)(1). Plaintiff's average monthly balance is \$13.32, and his average monthly deposit is \$106.67. Docket No. 3 at 4. Therefore, the Court finds that Plaintiff must pay an initial partial filing fee of \$21.33.

Accordingly, IT IS SO ORDERED:

Plaintiff's Application to Proceed *in Forma Pauperis* (Docket No. 3) without having to prepay the full filing fee is **GRANTED**. However, Plaintiff is required to pay an initial installment fee in the amount of \$21.33 toward the full filing fee of \$350. Plaintiff must have the designated

1 fee sent to the Clerk's Office no later than **September 1, 2022**. Failure to do so may result in
2 dismissal of this action. Furthermore, even if this action is dismissed, the full filing fee must still
3 be paid pursuant to 28 U.S.C. § 1915(b)(2).¹

4 2. Plaintiff is permitted to maintain this action to conclusion without the necessity of
5 prepayment of any additional fees or costs or the giving of security therefor. This Order granting
6 *in forma pauperis* status shall not extend to the issuance and/or service of subpoenas at government
7 expense.

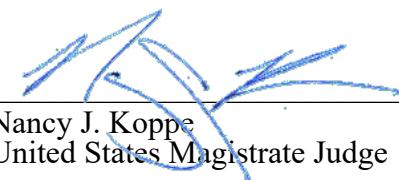
8 3. The Clerk's Office shall provide Plaintiff with two copies of this Order. Plaintiff
9 is ordered to make the necessary arrangements to have one copy of this Order attached to the check
10 in the amount of the designated fee.

11 4. The Clerk's Office shall send a copy of this Order to the attention of the inmate
12 accounts department at Nye County Detention Center, 1521 Siri Lane, Pahrump, Nevada 89060.
13 Pursuant to 28 U.S.C. § 1915(b)(2), Nye County Detention Center shall forward to the Clerk of
14 the United States District Court, District of Nevada, twenty percent of the preceding month's
15 deposits to Plaintiff's inmate trust account (in the months that the account exceeds \$10.00) until
16 the full \$350 filing fee has been paid for this action.

17 5. The Clerk's Office shall provide a copy of this Order to the Finance Division of the
18 Clerk's Office.

19 IT IS SO ORDERED.

20 Dated: August 2, 2022

21 
22 Nancy J. Koppe
23 United States Magistrate Judge

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27 ¹ After it has received the partial filing fee as ordered herein, the Court will screen
28 Plaintiff's complaint as required by 28 U.S.C. § 1915. Nothing in this order should be construed
as suggesting that the Court will allow any of Plaintiff's claims to proceed past the screening phase.